

REMARKS

Favorable reconsideration of the present patent application is respectfully requested in view of the following remarks.

In this Amendment no claims are added, canceled or amended. As a result, claims 1-15, 17-22, 27-32 and 34-43 remain pending in the application.

In the non-final Office Action of October 23, 2006, claims 1-15, 17-22, 27-32 and 34-43 are rejected under 35 U.S.C. §103(a) in view of U.S. Patent 6,288,716 (Humpleman).

35 U.S.C. §103 Rejections

The §103(a) rejection of claims 1-15, 17-22, 27-32 and 34-43 in view of Humpleman is respectfully traversed.

The Humpleman system operates in a manner similar to the conventional systems described in the Background—that is, by downloading a user interface to the device being configured. As discussed in the specification, the present invention avoids this by configuring the user interface using a template of the information appliance itself rather than downloading one.¹ This is discussed in the example provided at page 6 of the specification and shown in Figure 4, a copy of which is provided in the next page of this paper. In this exemplary embodiment the user interface of information appliance 402 can be configured to control functions on a variety of remote devices such as the devices 404, 403, 408, 410, 412, 414 and 416, *without downloading the user interfaces of the remote devices*. This can be important

¹ See, for example, the specification at page 6 and Fig. 4—a copy of which is provided on next page of this paper.

if the information appliance 402 is a “thin” information appliance with limited processing power, memory, limited network connection, and the like—such as a PDA. Instead of transferring the entire user interface to enable the information appliance 402 to control the remote devices 404, 406, 408, 410, 412, 414 and 416, the various embodiments send data to the information appliance 402 containing instructions on how to configure a user interface suitable for interacting with the specific functions of the remote devices. The information appliance then compares the data of the user interface functions with a template already contained in the information appliance.

Regarding the claims, the term “remote device” as used in the claims refers to remote devices 404, 406, 408, 410, 412, 414 and 416 to be controlled, as depicted in Figure 4. The “information appliance” in the claims refers to the device being programmed (e.g., 402) to control the functions of the remote devices. The “representations” of the user interface typically include backward and forward arrow keys, a keypad, a scroll bar or other such control representations for use in controlling and adjusting the information appliance.²

The present invention is useful for information appliances which are “thin” devices having limited processing power and memory. Instead of transferring the entire user interface from the remote device to the information appliance, various embodiments of the present invention configure the information appliance’s own template to perform control functions of the remote device. This avoids the extra resources (e.g., processing and memory) required to

² See page 7 of the specification and Figure 5 which depicts examples of user interface representations that may be used by a person to control and interact with the information appliances and remote devices.

download the user interface of the remote devices. The claims recite features which avoid the need to download the remote device's user interface. For example, claim 1 recites:

Claim 1: "programming the assigned one or more representations (from the user interface template) of the information appliance to respectively control the one or more user interface functions of the remote device."

None of the art cited in the application teaches or suggests this claimed feature, or the similar features of other claims. The Humpleman patent is not concerned with processing and memory requirements since the Humpleman system does not use a thin device as an information appliance. The Humpleman system simply downloads the user interface from the remote device to the information appliance, thus, suffering from the disadvantages (excess processing/memory usage) described in the Background of the present application.

Humpleman Teaches Away from the Claimed Invention

The Humpleman patent teaches away from the claimed invention, thus rendering the rejection improper. In the present invention, as per claim 1, the information appliance receives data from the remote device describing its user interface functions, compares the user interface data to the template of the information appliance, and then representations (e.g., icons, etc.) from the template of the information appliance are assigned the functions of the remote device to be controlled. In other words, the information appliance uses its own user interface template by assigning functions of the remote device to it rather than downloading the user interface of the remote device. The Humpleman system does just the opposite. Humpleman downloads the user interface from the remote device. Humpleman explains this, stating:

Generally, control may be implemented by **transfer of a graphical control object (GCO), which preferably resides in the server**, from the server for

rendering on the client, to make the GUI. As an advantageous result of this approach, detailed controls back to the server originating the GCO may be proprietary, as the server device "understands" and is aware of its own GUI controls.³

The Humpleman system not only downloads the user interface from the server (remote device), it touts the advantage of this since "the server device 'understands' and is aware of its own GUI controls." Consequently, Humpleman teaches away from using the interface template of the information appliance and "programming the assigned one or more representations of the information appliance to respectively control the one or more user interface functions of the remote device," as recited in claim 1, or other, similar features recited in the remaining claims.

The §103 Rejection Cannot be Maintained in view of MPEP §2143.03

The Office Action acknowledges that Humpleman does not teach the step of comparing the user interface data with a user interface template of the information appliance.⁴ It should be noted that in the claims this feature involves "the" user interface data which describes interface functions of the remote device (and not some other interface data of the information appliance itself). The claimed invention compares the interface data of the remote device with the template of the information appliance so that it can use representations of the template—thus, avoiding the need to download a user interface from the remote device. The Humpleman system has no need to compare such data since it simply downloads the user interface from the remote device.

³ Humpleman, col. 8, lines 28-42 (emphasis added).

⁴ Office Action of Oct. 23, 2006 at page 3.

In accordance with MPEP §2143.03 “all claim limitations must be taught or suggested.” This feature of the claims (“comparing the user interface data with a user interface template of the information appliance”) is not taught, as acknowledged in the Office Action. Further, this feature is not suggested, since the Humpleman patent touts the advantages of downloading the user interface from the remote device. Consequently, it is respectfully submitted that the §103 rejection in view of Humpleman cannot be properly maintained. Withdrawal of the rejection is requested.

Accordingly, it is respectfully submitted that the Humpleman patent does not teach or suggest the features of the claimed invention. Therefore, withdrawal of the rejection is requested.

Deposit Account Authorization / Provisional Time Extension Petition

To the extent necessary, a petition for an extension of time under 37 C.F.R. §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 50-0439 and please credit any excess fees to such deposit account.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. However, in the event there are any unresolved issues, the Examiner is kindly invited to contact applicant's representative, Scott Richardson, by telephone at (571) 748-4765 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,



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